



Department of General Services
Procurement Division
707 Third Street, 2nd Floor
West Sacramento, CA 95605-2811

State of California
Western States Contracting Alliance
Master Price Agreement
User Instructions
(Incorporates Supplement # 1)

CONTRACT NUMBERS:	Various
CONTRACTOR(S):	Various
PRODUCTS/SERVICES:	FUEL CELL POWER UNITS, COMPONENTS AND ACCESSORIES
CONTRACT TERM:	08/09/2007 through 01/15/2009
DISTRIBUTION LIST:	POSTED ELECTRONICALLY ON DGS/PD/WSCA INTERNET WEB PAGE

The most current User Guide and California General Provisions, products and/or services and pricing are included herein. All purchase orders issued under this contract incorporate the following User Guide and California General Provisions.

1. OVERVIEW

The purpose of this WSCA Master Price Agreement is to provide a purchasing vehicle for Fuel Cell Power Units, Components and Accessories for all State Agencies and local government agencies, which is any city, county, district or other governmental body empowered to spend public funds per California Public Contract Code Section 12110.

While the State of California makes this WSCA Master Price Agreement available to local governmental agencies, each local agency should make its own determination of whether using this WSCA Master Price Agreement is consistent with its procurement policies and regulations.


Skip Ellsworth, Manager, Multiple Award Program

9/23/2008
Effective Date

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FUEL CELL POWER UNITS, COMPONENTS, AND ACCESSORIES
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2. STATE OF CALIFORNIA, PROCUREMENT DIVISION, CONTACT

Department of General Services, Procurement Division
Multiple Award Program - WSCA
707 Third Street, 2nd Floor
West Sacramento, CA 95605
MS 202

Contact: Cynthia Okoroike
Phone: 916/375-4389
Fax: 916/375-4663
E-Mail: cynthia.okoroike@dgs.ca.gov

3. WSCA CONTRACT INFORMATION

See Attachment A for list of awarded contract(s) and contract Terms and Conditions.

4. WSCA BASE CONTRACT

This WSCA contract is based on some or all of the products and/or services and prices from WSCA Fuel Cell Power Units, Components and Accessories Contract, State of Washington # 01605.

A copy of the actual WSCA Master Agreement is available on the Internet at:

http://www.aboutwsca.org/contracts/files/FuelCell_CCI.doc

5. CONTRACT TERM

The contract term for the California Participating Addendum is 08/09/2007 through 01/15/2009.

6. FUEL CELLS

Fuel cell technology uses an electrochemical process to convert energy into electrical power without combustion. Powered by hydrogen, natural gas, methanol or gasoline, fuel cell power is cleaner than grid-connected power sources.

As directed by Executive Orders S-20-04 and S-3-05, and the Green Building Action Plan, the evaluation of fuel cells and other renewable, on-site power generation technologies for State facilities is underway.

The Department General Services Green Team has formed a Fuel Cells Work group, which is taking action on several fronts including:

- Becoming knowledgeable in current fuel cell technology
- Identifying and tracking industry trends
- Looking for opportunities to use fuel cell technology
- Educating potential users within State government about fuel cell characteristics and appropriate applications

Ongoing fuel cell projects include the following:

- Development of a fuel cell project manual for use by State government. The manual will be a roadmap to the process involved in implementing fuel cell technology in State facilities
- The installation of a fuel cell at a State facility to test and evaluate the technology and determine its appropriate uses
- Documenting the availability of State and federal government sponsored fuel cell funding incentives

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- The Fuel Cell Workgroup is initiating outreach and education efforts to identify potential fuel cell application opportunities statewide.

Contacts: Patrick McCoy, Robert.McCoy@dgs.ca.gov, or (916) 375-5988
Steve Ambrose, Steve.Ambrose@dgs.ca.gov, or (916) 376-1635

7. GUIDELINES/RULES

- a. Ordering state agencies must follow all applicable state mandated guidelines, e.g., State Administrative Manual, Management Memos, Agency Directives, California Acquisition Manual and California Codes.
- b. State and local government agency use of WSCA contracts is optional. A local government is any city, county, city and county, district or other local governmental body or corporation, including UC, CSU, K-12 schools and community colleges, that is empowered to expend public funds. While the state makes this contract available, each local government agency should make its own determination whether the WSCA program is consistent with its procurement policies and regulations.

8. DOLLAR THRESHHOLDS (Local Governments are Exempt)

- WSCA Program Limitation: \$500,000.
- All orders are subject to most current Management Memo (Currently MM 03-10 including supplements), or whichever Management Memo is in effect at the time a purchase order is issued.
- For all orders under this contract, the ordering agency is **NOT** required to obtain three quotes. For State Agency orders exceeding \$500,000.00, the ordering agency must have DGS approval prior to issuance of the purchase order.
- Go to DGS/PD web site www.dgs.ca.gov/pd to obtain a copy of the most current Management Memo (currently MM 03-10 including supplements), or whichever Management Memo is in effect at the time a purchase order is issued. Exempt entities are not subject to these order limits

9. PRICING

Agencies should contact the contractor to see if there is a large quantity discount available. Additionally, educational discounts may be available for educational entities. Please contact the contractor for additional information. See Attachment A for pricing.

10. EXECUTING THE PURCHASE ORDER

THE STATE OF CALIFORNIA CONTRACT NUMBER MUST BE SHOWN ON THE PURCHASE ORDER.

- State agencies shall use a Contract/Delegation Purchase Order (Std. 65) for purchases and services.
- Local governments shall, in lieu of the State's Purchase Order (Std. 65), use their own purchase order document.

Electronic copies of the State Standard Forms can be found at the Office of State Publishing web site: <http://www.dgs.ca.gov/osp> (select Standard Forms). The site provides information on the various forms and use with the Adobe Acrobat Reader. Beyond the Reader capabilities, Adobe Acrobat advanced features may be utilized if you have Adobe Business Tools or Adobe Acrobat 4.0 installed on your computer. Direct link to the Standard Form 65: <http://www.osp.dgs.ca.gov/pdf/std065.pdf>

The ordering agency defines the project scope to determine which goods and related services are needed, and checks the electronic catalog for pricing. Then the ordering state agency completes a Form 65 (Contract/Delegation Purchase Order), including all pertinent information for each individual order issued

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against the Agreement and sends the Form 65 to the selected Contractor. NOTE: CAL-Card (procurement card; i.e. visa) orders are also accepted.

As a hard copy catalog is not available, you must print a copy of the contract terms and conditions, the Participating Addendum, and a copy of the e-quote from your order and retain this in your files. It is not necessary to provide a copy of each page to DGS. Additionally, it is not the contractor's responsibility to provide this information to you.

11. ON-LINE ORDERING

Contact the supplier representative to discuss setting up an online ordering website for your agency. State agencies must still provide a copy of the ordering document to the Department of General Services, Procurement Division. If using a CAL-Card, a copy of the on-line order acknowledgement must be sent in place of the ordering document. THE AGENCY BILLING CODE MUST BE INCLUDED ON EITHER DOCUMENT (**Local Governments are Exempt**).

12. PURCHASE ORDER DISTRIBUTION

For state agencies, copies of the STD. 65 with original signatures, or if using the CAL-Card, copies of the order acknowledgement, must be sent to the Contractor, State Controller and Department of General Services, Procurement Division. For local agencies, copies of purchase orders are not required.

Department of General Services
Procurement Division
Data Entry Unit-Second Floor North
P.O. Box 989052
West Sacramento, CA 95798-9052
IMS: Z-1

State Controller's Office
3301 C Street, Room 404
Sacramento, CA 95814
Attn: Audit Unit

13. PAYMENTS AND INVOICES

a. Payment Terms

See **WSCA Supplier Contract Information** (Attachment A) for Payment Terms.

Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927 et. seq. Unless expressly exempted by statute, the Act requires state agencies to pay properly submitted, undisputed invoices not more than 45 days after (i) the date of acceptance of goods or performance of services; or (ii) receipt of an undisputed invoice, whichever is later.

Local government agencies may make payments according to their statutory requirements.

b. Payee Data Record (Std. 204)

Each state accounting office must have a copy of the attached Payee Data Record (Std. 204) in order to process payment of invoices. Agencies should forward a copy of the Std. 204 to their accounting office(s). Without the Std. 204, payment may be unnecessarily delayed.

14. TERMINATION

Any State or Local agency may terminate any order against this agreement upon 30 days notice provided the products or services have not already been accepted. This does not affect the termination clause of the WSCA Master Price Agreement concerning failure to perform or upon mutual consent.

15. DGS ADMINISTRATIVE FEE

The agency will not be charged the DGS Administrative fee and agencies will not be invoiced by the contractor for the use of this contract.

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ATTACHMENT A

WSCA CONTRACT ORDERING INFORMATION

Contractor Name	ALTERGY SYSTEMS
Contract Number	7-07-61-01
Contract Term Dates	08/09/2007 through 01/15/2009
WSCA Master Agreement	http://www.aboutwsca.org/contracts/fuel_cell.cfm
CA General Provisions	http://www.pd.dqs.ca.gov/WSCA/fuelcells.htm
CA Participating Addendum	http://www.pd.dqs.ca.gov/WSCA/fuelcells.htm
Ordering Address	140 Blue Ravine Road Folsom, CA 95630
Contact	Mickey Oros
Phone	916/458-9412
Fax	916/200-0488
Email	mickey.oros@altergy.com
Pricing (Website) Category Warranty Shipping Freight	From the Contractor's website http://www.altergy.com/ , click on the link titled, "WSCA Login." Username and Password information can be obtained by contacting Mickey Oros at either the telephone number or email address provide below.
Delivery Time:	Within sixty (60) calendar days after receipt of order (ARO).
Contractor Ownership Information	Altergy Systems is a large business enterprise.
Payment Terms	Net 45 days, One Percent (1%) Thirty (30) Days
FEIN	68-0485537
CAL-Card Accepted	Altergy Systems accepts the State of California credit card (CAL-Card). A Purchasing Authority Purchase Order (Std. 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card.

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Contractor Name	IDATECH, LLC
Contract Number	7-07-61-03
Contract Term Dates	9/23/2008 through 1/15/2009
WSCA Master Agreement	http://www.aboutwsca.org/contracts/files/FuelCell_CCI.doc
CA General Provisions	http://www.pd.dgs.ca.gov/wsca/FuelCells.htm
CA Participating Addendum	http://www.pd.dgs.ca.gov/wsca/FuelCells.htm
Ordering Address	63065 NE 18th St. Bend, OR 97701
Contact	James Kerr
Phone	541/322-1046
Fax	541/383-3439
Email	jkerr@idatech.com
Pricing (Website) Category Warranty Delivery Shipping Freight	http://www.aboutwsca.org/contracts/files/FuelCell_CCI.doc
Contractor Ownership Information	IDATECH, LLC is a large business enterprise.
California Seller's Permit	IDATECH, LLC's California Seller's Permit No. is 100966526 . Agencies can verify that this permit is still valid at the following website: www.boe.ca.gov .
Payment Terms	Net 45 days
FEIN	97-1202376
CAL-Card Accepted	IDATECH, LLC accepts the State of California credit card (CAL-Card). A Purchasing Authority Purchase Order (Std. 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card.

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Contractor Name	RELION, INC.
Contract Number	7-07-61-02
Contract Term Dates	9/23/2008 through 1/15/2009
WSCA Master Agreement	http://www.aboutwsca.org/contracts/files/FuelCell_CCI.doc
CA General Provisions	http://www.pd.dgs.ca.gov/wsca/FuelCells.htm
CA Participating Addendum	http://www.pd.dgs.ca.gov/wsca/FuelCells.htm
Ordering Address	15913 E. Euclid Ave. Spokane, WA 99216
Contact	John O'Sickey
Phone	509/228-6579
Fax	509/228-6521
Email	josickey@relion-inc.com
Pricing (Website) Category Warranty Delivery Shipping Freight	http://www.aboutwsca.org/contracts/files/FuelCell_CCI.doc
Contractor Ownership Information	RELION, INC. is a large business enterprise.
California Seller's Permit	RELION, INC. 's California Seller's Permit No. is 100651268 . Agencies can verify that this permit is still valid at the following website: www.boe.ca.gov .
Payment Terms	Net 45 days
FEIN	91-2191190
CAL-Card Accepted	RELION, INC. accepts the State of California credit card (CAL-Card). A Purchasing Authority Purchase Order (Std. 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card.